



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/655,770 Confirmation No. 7228
Applicant : Russell G. McMillen
Filed : September 5, 2003
Title : NEWSPAPER VENDING MACHINE
TC/A.U. : 3653
Examiner : Kenneth W. Noland

Atty. Docket No. : MMR0001-01
Customer No. : 0832

DECLARATION OF JON E. GREIM UNDER 35 C.F.R. §1.132

I, Jon E. Greim, declare that:

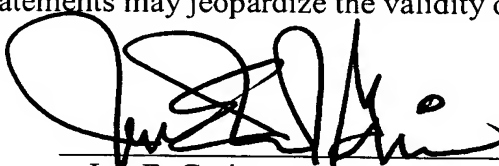
1. I am president of Evergreen Manufacturing and Sales of Fort Wayne, Indiana.
2. I make this Declaration in the present patent application under 37 C.F.R. §1.132 in support of the Declaration of Russell G. McMillen submitted in the present patent application under 37 C.F.R. §1.131 ("the McMillen Declaration").
3. On December 19, 2001, I met with Mr. McMillen to witness a vending machine prototype which had been built by Mr. McMillen. Attached as Exhibit D to the McMillen Declaration is document entitled "Product Disclosure" which I signed on December 19, 2001 prior to viewing Mr. McMillen's vending machine prototype.
4. Attached as Exhibits A, B, and C to the McMillen Declaration are photographs which I took of Mr. McMillen's prototype vending machine on December 19, 2001.
5. On December 19, 2001, I observed that Mr. McMillen's vending machine prototype included a housing having a discharge opening; a storage area within the housing, having an inclined surface upon which a plurality of articles may be stacked, the storage area in dispensing communication with the discharge opening; a gate disposed adjacent the storage area, the gate movable bi-directionally with respect to the storage area; a bi-directional drive device drivingly coupled to the gate which is initially operable to move the gate in a first direction such that an article may pass the gate from the storage area toward the discharge opening, and subsequently operable to move the gate in a second direction opposite the first direction such that additional articles may not pass the gate; and a drive device

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reverse actuation switch associated with the gate, the switch responsive to an article passing the gate; whereby when the switch is actuated by a passing article, the drive device is caused to move the gate in the second direction.

6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: Sept. 27, 2005


Jon E. Greim